

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RALPH W. BAKER, JR.,

Plaintiff,

-v-

TA-NEHISI P. COATES, et al.,

Defendants.

CIVIL ACTION NO.: 22 Civ. 7986 (VEC) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Before the Court are pro se Plaintiff Ralph W. Baker, Jr.'s ("Mr. Baker") requests for "permission to re-serve" Defendants Apple, Inc. ("Apple") and Plan B. (ECF Nos. 83, 84 (the "Requests")). By way of background, Mr. Baker commenced this action on September 19, 2022. (ECF No. 2 (the "Complaint")). On October 27, 2022, Mr. Baker filed affidavits reflecting that he delivered copies of the Summons and Complaint to Apple and Plan B. (ECF Nos. 31, 35). In the Requests, Mr. Baker indicates that his method of service on these Defendants was not proper. (ECF Nos. 83, 84). Mr. Baker states that he has "confirmed with the California Secretary of State" these Defendants' proper service address, and asks for "the Court's permission to re-serve" them at the specified addresses. (ECF Nos. 83, 84).

Under Federal Rules of Civil Procedure, a plaintiff must serve his complaint "within 90 days after the complaint is filed[.]" Fed. R. Civ. P. 4(m). Here, Mr. Baker filed the Complaint on September 19, 2022. (ECF No. 2). Thus, his deadline to serve Apple and Plan B is December 18, 2022.

Accordingly, because the service deadline has not yet lapsed, Mr. Baker's Request are DENIED WITHOUT PREJUDICE. Mr. Baker may renew the Requests on a showing of good cause if he is unable to serve Apple or Plan B by December 18, 2022. The Court declines to advise Mr. Baker of the proper address at which to serve Apple or Plan B, and refers Mr. Baker to the service requirements set forth in Federal Rule of Civil Procedure 5.

Dated: New York, New York
December 2, 2022

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge